

EXHIBIT B

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF KERN
BEFORE THE HONORABLE LORNA H. BRUMFIELD, JUDGE
DEPARTMENT 17

COLEEN M. PERRY AND PATRICK)	
PERRY,)	
Plaintiff,)	
)	Case No.
vs.)	S-1500-CV-279123 LHB
)	
HUNG T. LUU, M.D.; JOHNSON &)	VOLUME XIV
JOHNSON, a New Jersey)	
corporation; ETHICON, INC., a New)	Pages 2429 - 2649
Jersey corporation; and DOES)	
1-60,)	
Defendants.)	
)	
)	
)	

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TRIAL - DAY FOURTEEN

February 3, 2015

Reported By:

B. Suzanne Hull

CSR No. 13495

Official Reporter

<p style="text-align: right;">Page 2602</p> <p>1 in the conclusion paragraph.</p> <p>2 A. So this study is questioning the prevailing</p> <p>3 notion that polypropylene is inert; that it doesn't</p> <p>4 change. This study observed changes in mesh that had</p> <p>5 been explanted from humans; and, therefore, is</p> <p>6 challenging that idea that it does not degrade.</p> <p>7 Q. And does it say anything at all about</p> <p>8 whether or not the presence of an infection or</p> <p>9 chronic inflammation has any bearing on degradation?</p> <p>10 MR. SNELL: Objection, Your Honor. Calls</p> <p>11 for hearsay and expert opinion. Also duplicative.</p> <p>12 THE COURT: Sustained.</p> <p>13 Please rephrase.</p> <p>14 BY MR. FREESE:</p> <p>15 Q. Okay. Dr. Guelcher, what I am simply trying</p> <p>16 to find out is whether or not the human condition in</p> <p>17 which the mesh is found, does that impact or not</p> <p>18 impact the degradation or the rate of degradation?</p> <p>19 MR. SNELL: Same objections, Your Honor. He</p> <p>20 is not a medical doctor.</p> <p>21 THE COURT: Sustained.</p> <p>22 BY MR. FREESE:</p> <p>23 Q. Did the doctors who wrote this article have</p> <p>24 an opinion about whether or not degradation was</p> <p>25 affected about -- by the condition in the human body?</p> <p>26 A. No. They noted there were no strong</p> <p>27 correlations.</p> <p>28 Q. Last article.</p>	<p style="text-align: right;">Page 2604</p> <p>1 A. It is not on this document, but I think it</p> <p>2 was this last year, 2014.</p> <p>3 Q. All right. And just so we are clear because</p> <p>4 we don't have unlimited amount of time, did you look</p> <p>5 at more articles than the ones I have just shown you</p> <p>6 today?</p> <p>7 A. Yes. I have looked at a number of articles.</p> <p>8 Q. Are the three articles that I have shown you</p> <p>9 the ones that are representative in your mind to</p> <p>10 demonstrate your opinions?</p> <p>11 A. Yes. I think so.</p> <p>12 Q. All right. And do they best demonstrate</p> <p>13 your opinions?</p> <p>14 A. Yes.</p> <p>15 Q. All right. Would you tell us what the</p> <p>16 authors were looking for in Exhibit 3328,</p> <p>17 "Pathological findings of transvaginal polypropylene</p> <p>18 slings explanted for late complications. Mesh is not</p> <p>19 inert"?</p> <p>20 A. So this is another valuable study because</p> <p>21 these are meshes that are explanted from humans; so</p> <p>22 it gives us insight as to how they behave in humans.</p> <p>23 And Dr. Iakovlev tested these meshes, and in</p> <p>24 100 percent of the cases he found evidence of</p> <p>25 inflammation and foreign body reaction. Again, the</p> <p>26 foreign body reaction is what provides the cells that</p> <p>27 secrete the oxidative species of oxidized</p> <p>28 polypropylene; so the foreign body reaction, again,</p>
<p style="text-align: right;">Page 2603</p> <p>1 Dr. Guelcher, did you -- have you looked at</p> <p>2 one more article?</p> <p>3 A. Yes.</p> <p>4 Q. All right.</p> <p>5 MR. FREESE: And may I approach, Your Honor?</p> <p>6 THE COURT: Yes, you may.</p> <p>7 BY MR. FREESE:</p> <p>8 Q. I'm handing you what has been marked as</p> <p>9 plaintiff's 3328.</p> <p>10 A. Yes.</p> <p>11 MR. FREESE: Your Honor, I do have an extra</p> <p>12 one of these.</p> <p>13 THE COURT: I have it. I am finding them in</p> <p>14 the binder now.</p> <p>15 MR. FREESE: Thank you, Your Honor.</p> <p>16 BY MR. FREESE:</p> <p>17 Q. Dr. Guelcher, do you recognize this</p> <p>18 document?</p> <p>19 A. Yes, I do.</p> <p>20 Q. And what is the title of this article?</p> <p>21 A. "Pathological findings of transvaginal</p> <p>22 polypropylene slings explanted for late</p> <p>23 complications. Mesh is not inert."</p> <p>24 Q. All right. And who are the authors of this</p> <p>25 article?</p> <p>26 A. Dr. Vladimir Iakovlev is the lead author.</p> <p>27 Also Dr. Mekel and Blaivas.</p> <p>28 Q. And what is the date of this article?</p>	<p style="text-align: right;">Page 2605</p> <p>1 is a source of chemical changes, the oxidation of the</p> <p>2 polypropylene.</p> <p>3 He found 100 percent of the time by</p> <p>4 histology evidence of a foreign body reaction; so</p> <p>5 that means that the polypropylene is exposed and is</p> <p>6 reactive to oxygen secreted by those cells.</p> <p>7 He also found that 100 percent of the -- of</p> <p>8 the -- of the cases showed polypropylene degradation,</p> <p>9 which he assessed by this layer of degraded oxidized</p> <p>10 polypropylene on the surface of the fiber; so he saw</p> <p>11 100 percent of the cases formed by the reaction;</p> <p>12 100 percent of the cases, evidence of degradation.</p> <p>13 Q. So was there a single explanted mesh that</p> <p>14 did not show evidence of degradation?</p> <p>15 MR. SNELL: Objection, Your Honor. Lacks</p> <p>16 foundation, and it is repetitive. He doesn't know</p> <p>17 what all Dr. Iakovlev looked at besides what he just</p> <p>18 happened to disclose in this document.</p> <p>19 THE COURT: Well, I guess he can testify</p> <p>20 about what he believes this document reflects as he</p> <p>21 relied on it.</p> <p>22 So you can answer the question.</p> <p>23 BY MR. FREESE:</p> <p>24 Q. Go ahead, Doctor.</p> <p>25 A. So --</p> <p>26 Q. Let me re-ask the question.</p> <p>27 A. Well --</p> <p>28 Q. Okay.</p>

<p style="text-align: right;">Page 2606</p> <p>1 A. -- I'm involved in this study; so this is --</p> <p>2 these data are part of a publication that we are</p> <p>3 submitting as a manuscript; so I have knowledge of</p> <p>4 this study.</p> <p>5 Q. Okay.</p> <p>6 A. Yeah.</p> <p>7 Q. So the question is --</p> <p>8 A. What was the question?</p> <p>9 Q. -- based on the conclusions reached by the</p> <p>10 authors of this study, did they find any evidence of</p> <p>11 a single explanted mesh that was not showing evidence</p> <p>12 of degradation?</p> <p>13 MR. SNELL: Objection, Your Honor.</p> <p>14 Repetitive. The witness has said it was 100 percent.</p> <p>15 Now he is asking it the opposite way.</p> <p>16 THE COURT: Overruled.</p> <p>17 THE WITNESS: Dr. Iakovlev did not find any</p> <p>18 explants that did not show evidence of foreign body</p> <p>19 reaction and degradation.</p> <p>20 BY MR. FREESE:</p> <p>21 Q. Thank you, sir.</p> <p>22 Dr. Guelcher, is there any published</p> <p>23 literature in any journal that you are aware of that</p> <p>24 has said polypropylene mesh that is implanted in</p> <p>25 women -- a woman's pelvic region does not degrade?</p> <p>26 A. I am not aware of any such study.</p> <p>27 Q. Dr. Guelcher, based on your research and</p> <p>28 study of the degradation of the polypropylene mesh,</p>	<p style="text-align: right;">Page 2608</p> <p>1 subjected to this continuing foreign body reaction,</p> <p>2 it oxidizes and becomes brittle and degrades.</p> <p>3 Q. Now, Dr. Guelcher, did Ethicon ever do</p> <p>4 a study to determine the effects of a degradation of</p> <p>5 Prolene® mesh in a woman's vagina?</p> <p>6 A. Not -- not to my knowledge.</p> <p>7 Q. Do you have an opinion, to a reasonable</p> <p>8 degree of scientific certainty, whether the</p> <p>9 TVTTM Abbrevio is reasonably designed with the</p> <p>10 laser-cut Prolene® mesh?</p> <p>11 MR. SNELL: Objection, Your Honor. Beyond</p> <p>12 the designation.</p> <p>13 THE COURT: Overruled.</p> <p>14 THE WITNESS: In my opinion, it is not</p> <p>15 a reasonable design because internal Ethicon studies,</p> <p>16 the testimony of Ethicon employees, and studies</p> <p>17 published by people -- scientists outside of Ethicon</p> <p>18 all clearly point to oxidation and degradation of the</p> <p>19 polypropylene. In my opinion, this should have been</p> <p>20 tested more carefully under very controlled benchtop</p> <p>21 conditions to understand the rate at which it occurs,</p> <p>22 how effective are antioxidants. Those questions were</p> <p>23 never answered.</p> <p>24 More preclinical testing was done in large</p> <p>25 animals modeling the pelvic floor in a human to ask</p> <p>26 whether these changes are important. Do they affect</p> <p>27 long-term performance of the mesh? Those studies</p> <p>28 were never done, and I think they would be required</p>
<p style="text-align: right;">Page 2607</p> <p>1 do you have an opinion of whether or not the</p> <p>2 antioxidants added to the Prolene® mesh prevents</p> <p>3 degradation of the mesh?</p> <p>4 A. In my opinion, antioxidants can delay</p> <p>5 degradation, but they don't prevent it. It is</p> <p>6 a permanent implant. It is impossible to stabilize</p> <p>7 it over its entire lifetime. The antioxidants are</p> <p>8 depleted by the same reactive species that degrade</p> <p>9 the polypropylene. Instead of degrading the polymer,</p> <p>10 they are degrading the antioxidant. It then goes</p> <p>11 away, and it is not protected. And it is subject to</p> <p>12 degradation; so to me the literature is pointing out</p> <p>13 that this is not a permanent effect. It goes away</p> <p>14 every time.</p> <p>15 Q. And what is not permanent is the antioxidant</p> <p>16 effect?</p> <p>17 A. The antioxidant stabilization is not</p> <p>18 permanent. It is temporary. It is depleted over</p> <p>19 time, and the material is no longer protected.</p> <p>20 Q. Dr. Guelcher, do you have an opinion</p> <p>21 regarding whether or not degradation of the Prolene®</p> <p>22 mesh in the TVTTM Abbrevio is progressive over time?</p> <p>23 A. Yes. It progresses over time. The</p> <p>24 literature is very clear in teaching that the foreign</p> <p>25 body reaction is ongoing as long as the material is</p> <p>26 there; so unless you take the material out, this</p> <p>27 reaction continues to happen. Ethicon's own studies</p> <p>28 point to this continued degradation, and the mesh is</p>	<p style="text-align: right;">Page 2609</p> <p>1 for a reasonable design.</p> <p>2 MR. FREESE: May I have a moment,</p> <p>3 Your Honor?</p> <p>4 THE COURT: Yes.</p> <p>5 (Sotto voce discussion between Mr. Freese,</p> <p>6 Mr. Cartmell, and Mr. Goss.)</p> <p>7 MR. FREESE: Thank you, Your Honor.</p> <p>8 I have no further questions.</p> <p>9 THE COURT: All right. You guys ready for</p> <p>10 some cross-examination or do you need a break?</p> <p>11 They are ready, Mr. Snell.</p> <p>12 MR. SNELL: Let's get it done.</p> <p>13 THE JUROR: You need to speak up there.</p> <p>14 MR. FREESE: Two seconds, Burt. Let me get</p> <p>15 my stuff.</p> <p>16 CROSS-EXAMINATION</p> <p>17 BY MR. SNELL:</p> <p>18 Q. Ready, Dr. Guelcher?</p> <p>19 A. I'm ready.</p> <p>20 Q. All right. Let's start off at the</p> <p>21 beginning, a little bit about your qualifications.</p> <p>22 You talked about a pathologic study by</p> <p>23 Dr. Iakovlev; correct?</p> <p>24 A. Yes.</p> <p>25 Q. You know him.</p> <p>26 He is a pathologist; correct?</p> <p>27 A. That's right.</p> <p>28 Q. You are not a pathologist; right?</p>

<p style="text-align: right;">Page 2610</p> <p>1 A. I am not a pathologist, but I do a lot of</p> <p>2 work with pathologists.</p> <p>3 Q. There is pathology in Ms. Perry's case;</p> <p>4 right, sir?</p> <p>5 A. Yes.</p> <p>6 Q. You didn't look at it under a microscope,</p> <p>7 did you?</p> <p>8 A. It was --</p> <p>9 Q. I'm sorry. Yes or no.</p> <p>10 You didn't look at the pathology slides</p> <p>11 under a microscope?</p> <p>12 A. No. I did not look at them under</p> <p>13 a microscope.</p> <p>14 Q. And if you go to Dr. Iakovlev -- that's</p> <p>15 whose article you showed to the jury -- he is an</p> <p>16 expert for the plaintiffs; right?</p> <p>17 A. Yes. That is my understanding.</p> <p>18 Q. Do you know how many tens of hundreds of</p> <p>19 thousands of dollars he has been paid to be an</p> <p>20 expert.</p> <p>21 A. I don't discuss that with Dr. Iakovlev.</p> <p>22 Q. You saw that Dr. Blaivas was another listed</p> <p>23 author on that?</p> <p>24 A. Yes. I have never met Dr. Blaivas.</p> <p>25 Q. And you know Dr. Blaivas is an expert for</p> <p>26 the plaintiffs; right, sir?</p> <p>27 A. That is my understanding. I have never met</p> <p>28 him, though.</p>	<p style="text-align: right;">Page 2612</p> <p>1 correct?</p> <p>2 A. Completely, truly inert, all materials</p> <p>3 respond to the body. The question is how much.</p> <p>4 Q. You talked to Mr. Freese about your work on</p> <p>5 this case.</p> <p>6 And as I understand it, you are charging</p> <p>7 \$385 per hour for your testimony?</p> <p>8 A. That sounds right, yeah.</p> <p>9 Q. That's what you told me in your deposition.</p> <p>10 Have you changed it, brought it down?</p> <p>11 A. We have made some changes to the bill. We</p> <p>12 do bill differently now, yeah.</p> <p>13 Q. What are you billing now?</p> <p>14 A. So I think it is \$2,000 for a half day of</p> <p>15 trial testimony.</p> <p>16 Q. When did you come here to Bakersfield?</p> <p>17 A. Much to the consternation of my family, on</p> <p>18 Saturday.</p> <p>19 Q. So you have been here since Saturday;</p> <p>20 correct, sir?</p> <p>21 A. Yes. Saturday night.</p> <p>22 Q. Starting Sunday, how much have you been</p> <p>23 billing? Have you been billing a half day rate?</p> <p>24 a whole day rate? an hourly rate?</p> <p>25 A. We bill it differently now because I am</p> <p>26 actually doing research on polypropylene; so I am</p> <p>27 billing it by the trial. Trial preparation is a flat</p> <p>28 rate.</p>
<p style="text-align: right;">Page 2611</p> <p>1 Q. Fair enough.</p> <p>2 You are not a toxicologist.</p> <p>3 Can we agree to that?</p> <p>4 A. I am not a toxicologist.</p> <p>5 Q. And I believe you told Mr. Freese you</p> <p>6 started looking into this case and the degradation</p> <p>7 issues in early 2014.</p> <p>8 Does that sound about right?</p> <p>9 A. In this particular case I have been looking</p> <p>10 at the question of polypropylene degradation since</p> <p>11 2013, when I first got involved with the litigation.</p> <p>12 Q. Let me see if I can get this right.</p> <p>13 A. All right.</p> <p>14 Q. Prior to getting involved, you had not seen</p> <p>15 in any of your research that there was a problem with</p> <p>16 polypropylene mesh; is that correct?</p> <p>17 A. I wasn't aware of it.</p> <p>18 Q. And prior to getting involved, you had never</p> <p>19 published any articles on the use of polypropylene in</p> <p>20 mesh; is that correct?</p> <p>21 A. I'm not published on polypropylene mesh.</p> <p>22 Q. And you mentioned inert and what that means</p> <p>23 to you as a polymer scientist; right, sir?</p> <p>24 A. Yes.</p> <p>25 Q. And you know as a polymer scientist -- well,</p> <p>26 let me see.</p> <p>27 You do not know of any material that can be</p> <p>28 used for medical implants that is completely inert;</p>	<p style="text-align: right;">Page 2613</p> <p>1 MR. SNELL: Your Honor, I am going to move</p> <p>2 to strike we are doing research on polypropylene.</p> <p>3 Again, this is violating Your Honor's ruling on that</p> <p>4 issue.</p> <p>5 THE COURT: Well, not necessarily. I don't</p> <p>6 know what he is referring to.</p> <p>7 THE WITNESS: I can explain, Your Honor.</p> <p>8 THE COURT: Why don't we not explain right</p> <p>9 now.</p> <p>10 THE WITNESS: Okay.</p> <p>11 THE COURT: Maybe we'll have to talk about</p> <p>12 it later, but why don't you answer the question of</p> <p>13 how much you are getting paid.</p> <p>14 THE WITNESS: I'm trying to answer as best</p> <p>15 as I can, Your Honor.</p> <p>16 THE COURT: Okay.</p> <p>17 THE WITNESS: There have been changes is</p> <p>18 what I'm trying to say.</p> <p>19 THE COURT: Tell him how much you are being</p> <p>20 paid now.</p> <p>21 BY MR. SNELL:</p> <p>22 Q. So yeah.</p> <p>23 How much are you being paid now? Can you</p> <p>24 tell me a dollar amount per day?</p> <p>25 A. So for trial preparation it is \$7500, and</p> <p>26 for a half day of testimony it is 2,000; so it is</p> <p>27 a flat -- it is not -- it is not hourly. It is just</p> <p>28 a flat rate.</p>

<p style="text-align: right;">Page 2614</p> <p>1 Q. \$7500 for trial preparation?</p> <p>2 A. Yes.</p> <p>3 Q. Is that per day that you are here?</p> <p>4 A. No. That is just all the time I spent</p> <p>5 preparing for trial, \$7500.</p> <p>6 Q. Okay.</p> <p>7 A. It is just a flat.</p> <p>8 Q. Okay.</p> <p>9 A. It's -- well.</p> <p>10 Q. Polypropylene, that is a polymer invented in</p> <p>11 the 1950s; right, sir?</p> <p>12 A. I believe so, yeah.</p> <p>13 Q. Okay. And I think you said this, but I just</p> <p>14 want to make sure we are clear.</p> <p>15 The Prolene® polypropylene, which is</p> <p>16 Ethicon's Prolene® --</p> <p>17 A. Right.</p> <p>18 Q. -- polypropylene, that is specific because</p> <p>19 of certain antioxidants and additives; correct, sir?</p> <p>20 A. So all polypropylene that is commercially</p> <p>21 used is stabilized by antioxidants, and the</p> <p>22 antioxidants used to stabilize Prolene® are a specific</p> <p>23 blend; so yes.</p> <p>24 Q. So I guess it would be fair to say --</p> <p>25 Thank you.</p> <p>26 -- the specific blend of antioxidants and</p> <p>27 additives that are added to the Prolene® polypropylene</p> <p>28 is what makes it that unique Prolene® polypropylene</p>	<p style="text-align: right;">Page 2616</p> <p>1 right?</p> <p>2 A. Yes.</p> <p>3 Q. And one of the ways you measure the extent</p> <p>4 to which a substance degrades is -- or oxidizes is by</p> <p>5 looking at whether there was a change in molecular</p> <p>6 weight.</p> <p>7 True?</p> <p>8 A. I would -- I would say degrades. You could</p> <p>9 use molecular weight to assess that.</p> <p>10 MR. SNELL: I'd like to lodge Dr. Guelcher's</p> <p>11 prior sworn testimony, Your Honor.</p> <p>12 THE COURT: Yes.</p> <p>13 MR. SNELL: And the date of that sworn</p> <p>14 testimony is August 25th, 2014. Page 174, Lines 4 to</p> <p>15 7. Page 174, Lines 4 to 7.</p> <p>16 THE COURT: Any objection?</p> <p>17 MR. FREESE: No objection, Your Honor.</p> <p>18 THE COURT: Please proceed.</p> <p>19 MR. SNELL:</p> <p>20 "QUESTION: One of the ways that you</p> <p>21 measure the extent to which a substance</p> <p>22 degrades or oxidizes is by a change in</p> <p>23 molecular weight. True?</p> <p>24 "ANSWER: That is one way of measuring</p> <p>25 it, yes."</p> <p>26 THE WITNESS: Okay. Your Honor, can</p> <p>27 I explain it?</p> <p>28 You are not done. Okay.</p>
<p style="text-align: right;">Page 2615</p> <p>1 product; correct, sir?</p> <p>2 A. Yeah. But similar antioxidants are added to</p> <p>3 other ones as well. But the specific formulation</p> <p>4 is -- I will concede that. The specific formulation</p> <p>5 is particular to Prolene®.</p> <p>6 Q. And the Ethicon Prolene® polypropylene</p> <p>7 sutures, the TVTTM mesh is made of the same chemical</p> <p>8 composition as that; correct?</p> <p>9 A. It is made of the same Prolene®</p> <p>10 polypropylene; that's right.</p> <p>11 Q. It means I asked a poor question.</p> <p>12 The Ethicon TVTTM mesh --</p> <p>13 A. Yes.</p> <p>14 Q. -- used for the treatment of stress urinary</p> <p>15 incontinence --</p> <p>16 A. Yes.</p> <p>17 Q. -- has the exact same chemical composition</p> <p>18 as the Prolene® sutures; correct?</p> <p>19 A. It is my understanding.</p> <p>20 Q. Okay. And we'll talk about degradation and</p> <p>21 oxidation.</p> <p>22 As I understood your testimony, sir, and the</p> <p>23 process, when you have oxidation impacting</p> <p>24 polypropylene, you have -- you can have a change in</p> <p>25 molecular structure; correct?</p> <p>26 A. Yes. It changes the molecular structure;</p> <p>27 that is right.</p> <p>28 Q. You can have a change in molecular weight;</p>	<p style="text-align: right;">Page 2617</p> <p>1 THE COURT: I think he is done, but --</p> <p>2 THE WITNESS: I'm not -- are you asking me</p> <p>3 a question?</p> <p>4 THE COURT: -- Mr. Freese gets to ask you</p> <p>5 questions too.</p> <p>6 THE WITNESS: Can I explain it?</p> <p>7 BY MR. SNELL:</p> <p>8 Q. I have a question.</p> <p>9 A. Okay. I'll wait for your question.</p> <p>10 Q. And loss of molecular weight leads to</p> <p>11 embrittlement; correct?</p> <p>12 A. Yes.</p> <p>13 Q. And the progression of the chemical reaction</p> <p>14 is that you ultimately have a change in the physical</p> <p>15 properties of the substance; correct?</p> <p>16 A. That is correct.</p> <p>17 Q. Like tensile strength; correct?</p> <p>18 A. Yes.</p> <p>19 Q. Like toughness; correct?</p> <p>20 A. Yes.</p> <p>21 Q. And so you can actually measure by</p> <p>22 analytical chemistry and benchtop testing the extent</p> <p>23 to which a substance has undergone degradation;</p> <p>24 correct, sir?</p> <p>25 A. Yes.</p> <p>26 I'd like to clarify; so by oxidation --</p> <p>27 MR. SNELL: I'm going to move to strike. It</p> <p>28 is a yes or no question.</p>

<p style="text-align: right;">Page 2618</p> <p>1 THE WITNESS: I'm not sure what you're --</p> <p>2 I guess I am not sure what you are asking me. If you</p> <p>3 could repeat it.</p> <p>4 BY MR. SNELL:</p> <p>5 Q. You can measure by analytical chemistry and</p> <p>6 benchtop testing the extent to which a substance has</p> <p>7 undergone degradation; correct?</p> <p>8 A. Yeah. Yeah.</p> <p>9 Q. Thank you.</p> <p>10 Let's move on.</p> <p>11 Do you have plaintiff's Exhibit 1531 there,</p> <p>12 sir? That was the Guidoin paper you discussed.</p> <p>13 A. Yes. Yes. Yeah.</p> <p>14 Q. It is 1531. It is September 30th, 1997,</p> <p>15 just so we are on the same page.</p> <p>16 A. Yes.</p> <p>17 THE COURT: I believe it is '87, if I am not</p> <p>18 mistaken.</p> <p>19 MR. SNELL: Oh, I'm sorry.</p> <p>20 THE COURT: Okay. At least the one I am</p> <p>21 looking at.</p> <p>22 MR. SNELL: Thank you for that correction,</p> <p>23 Your Honor.</p> <p>24 BY MR. SNELL:</p> <p>25 Q. September 30th, 1987, plaintiff's</p> <p>26 Exhibit 1531.</p> <p>27 Are you there, sir?</p> <p>28 A. Yes.</p>	<p style="text-align: right;">Page 2620</p> <p>1 "QUESTION: There is no evidence of</p> <p>2 mechanical breakage in the seven-year dog</p> <p>3 study?</p> <p>4 "ANSWER: I do agree that there is no</p> <p>5 evidence of mechanical breakage."</p> <p>6 BY MR. SNELL:</p> <p>7 Q. The last three pages of that study has the</p> <p>8 mechanical properties testing that was done after</p> <p>9 seven years; right, sir?</p> <p>10 A. I believe so.</p> <p>11 Q. And for those physical properties that they</p> <p>12 tested and looked for, they didn't lose any of the</p> <p>13 physical properties; right, sir?</p> <p>14 A. Okay. Now I understand your question; so</p> <p>15 the mechanical testing that they did did not show</p> <p>16 changes in the suture.</p> <p>17 Q. And they did GPC testing, which is gel</p> <p>18 permeation chromatography?</p> <p>19 A. I pronounce it either way. They did GPC.</p> <p>20 Q. What it does is it measures molecular weight</p> <p>21 that we have been talking about; right, sir?</p> <p>22 A. That's right.</p> <p>23 Q. And there was no significant molecular</p> <p>24 weight loss -- correct? -- according to the GPC?</p> <p>25 A. Well, mechanically being the entire fiber;</p> <p>26 so the molecular weight loss would be near the</p> <p>27 surface of the fiber. If you sample the entire</p> <p>28 fiber, you are not just testing this on the surface,</p>
<p style="text-align: right;">Page 2619</p> <p>1 Q. And I just had a question.</p> <p>2 You mentioned that there was severe cracking</p> <p>3 at eight years in this study.</p> <p>4 A. Yes.</p> <p>5 Q. My question to you was was there any</p> <p>6 cracking at two years?</p> <p>7 A. I don't remember at two years. At three</p> <p>8 years and later there was.</p> <p>9 Q. Okay. Let's talk just a moment about the</p> <p>10 dog study --</p> <p>11 A. Okay.</p> <p>12 Q. -- plaintiff's Exhibit 2000.</p> <p>13 A. Yes.</p> <p>14 Q. Do you have it?</p> <p>15 A. Yeah.</p> <p>16 Q. Okay. There was no evidence of mechanical</p> <p>17 breakage in the seven-year dog study; correct?</p> <p>18 A. What do you mean by mechanical breakage?</p> <p>19 You mean the sutures failed while they were</p> <p>20 implanted? Or I'm not sure what you mean.</p> <p>21 MR. SNELL: Your Honor, I would like to</p> <p>22 read --</p> <p>23 THE WITNESS: Is there a --</p> <p>24 MR. SNELL: -- Page 180, Lines 13 to 16.</p> <p>25 THE COURT: Any objections?</p> <p>26 MR. FREESE: No objection, Your Honor.</p> <p>27 THE COURT: Please proceed.</p> <p>28 MR. SNELL:</p>	<p style="text-align: right;">Page 2621</p> <p>1 like they did in the Guidoin study; so that is why</p> <p>2 they didn't observe changes in molecular weight.</p> <p>3 Q. Let me see if I can get a simple answer to</p> <p>4 a simple question.</p> <p>5 In the GPC testing, looking at molecular</p> <p>6 weight, they didn't see a significant difference in</p> <p>7 molecular weight?</p> <p>8 A. True. But it is not just a simple question.</p> <p>9 Q. Well --</p> <p>10 A. They did not see a difference in molecular</p> <p>11 weight, but there is more nuance than that.</p> <p>12 Q. Let's talk for just a minute about the Clavè</p> <p>13 paper, sir.</p> <p>14 A. Yes.</p> <p>15 Q. Plaintiff's Exhibit 2687.</p> <p>16 And what they did in this study is --</p> <p>17 Are you there, sir?</p> <p>18 A. Yes. I have the paper.</p> <p>19 Did you ask me to go to a page? Or I'm</p> <p>20 not --</p> <p>21 Q. I just want to make sure you --</p> <p>22 A. I have it.</p> <p>23 Q. I just wanted to make sure you have it</p> <p>24 there.</p> <p>25 A. I have it.</p> <p>26 Q. So they started out with 1200 explants;</p> <p>27 right?</p> <p>28 A. Yes.</p>